

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of Application of:)	
)	
LA FAVORITA, INC.)	FRN: 0009983149
)	Facility No. 36157
Licensee of WAOS(AM), Austell, GA,)	Facility No. 8606
WLBA(AM), Gainesville, GA, and)	Facility No. 36158
WXEM(AM), Buford, GA)	

To: Office of the Secretary
Attention: Chief, Media Bureau, and
Managing Director, Office of Managing
Director

RESPONSE TO ORDER TO PAY
OR TO SHOW CAUSE

La Favorita, Inc. ("La Favorita"), by counsel, hereby shows cause why payment of its regulatory fee debt should be deferred pursuant to an installment payment plan. In light of the showing herein, the Commission's proceeding to revoke the licenses held by La Favorita should be dismissed and pending applications for renewal of license filed by La Favorita should be processed and granted in due course.¹

By *Order to Pay or to Show Cause*, DA 19-1096, released October 26, 2019, the Chief, Media Bureau, and the Managing Director initiated a proceeding to revoke the licenses held by La Favorita for WAOS(AM), Austell, Georgia; WLBA(AM), Gainesville, Georgia (herein, the "Stations"); and WXEM(AM), Buford, Georgia, for failure to pay delinquent regulatory fees and

¹ Pursuant to an email exchange with Commission staff, it is counsel's understanding that the so-called "Red Light" barring La Favorita from doing business with the Commission will remain until the Commission receives the Good Faith Payment along with the settlement agreements referenced *infra*, and that, once received, the Red Light status will be removed.

associated interest, administrative costs, and penalties owed to the Commission. The Commission afforded La Favorita 60 calendar days, or until December 27, 2019, to pay the fees or “show cause why the payment demanded is inapplicable or should otherwise be waived or deferred.” This pleading shows cause why the payment should be deferred.

Immediately after receiving the *Order to Pay or to Show Cause*, counsel initiated discussions with the Office of Managing Director toward a plan to pay off the delinquent debt through installments. On November 26, 2019, the Commission’s Chief Financial Officer sent to undersigned counsel a letter² (“Notice of Terms to Obtain Installment Payment Plan, Acknowledgement of Debt and Promissory Note,” herein, “Notice of Terms”) affording La Favorita 20 days, or until December 16, 2019, within which to provide a number of executed documents and submit a “Good Faith Payment” to reduce the amount owed to the Commission. On December 13, 2019, La Favorita delivered most of the signed documents to the Commission and made the Good Faith Payment. Pursuant to an informal extension of time, the balance of the documents were delivered to the Commission on December 20, 2019.

² Received in counsel’s office December 2, 2019.

In light of these actions by La Favorita, it is respectfully requested that the Commission terminate its proceeding to revoke the licenses of the Stations, subject to La Favorita's successful compliance with the conditions imposed in the Commission's Notice of Terms.

Respectfully submitted,

LA FAVORITA, INC.

By 

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Its Attorney

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December 20, 2019

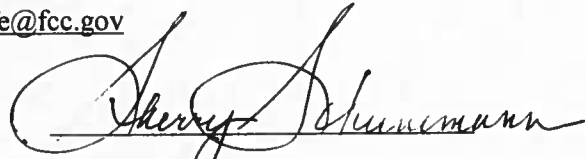
CERTIFICATE OF SERVICE

I, Sherry L. Schunemann, a secretary in the law firm of Smithwick & Belendiuk, P.C., do hereby certify that a copy of the foregoing "Response to Order to Pay or to Show Cause" was hand-delivered and sent by electronic mail, this 20th day of December, 2019, to the following:

Michele M. Carey, Esq.
Chief, Media Bureau
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Managing Director
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Sherry Schunemann